

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Servants – Agriculture & Cooperation Department – Allegations of corruption against Sri G. Chidambaraiah, Cooperative Sub-Registrar (Retd.), Nandyal – O.A.No.9339/2013 filed in the Hon'ble APAT to regularize the period of suspension from 04.02.2004 to 29.02.2004 as "ON DUTY" and to pay full pension and other pensionary benefits including arrears from 01.03.2004 – Judgment delivered by Hon'ble APAT on 12.11.2014 – Implementation of the Orders of Hon'ble APAT in O.A.No.9339/2013 – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.RT.No. 169

Dated:13TH MARCH, 2015

Read the following:-

1. From the DG, ACB, Hyd. Lr.Rc.No.66/RCO-ATP/98-S14, dt: 13.11.2001
2. G.O.Ms.No.57, A&C(Vig.Cell) Dept., dt: 28.02.2003
3. From the DG, ACB, A.P.Hyd. Lr.Rc.No.66/RCO-ATP/1998, Dated: 10.08.2010
4. Orders of Hon'ble A.P.A.T. dated:21.10.2014 O.A.No.9339/2013.
5. Govt. Memo No.1319/Vig.III-A2/2002, Dated: 06.10.2010
6. From the APAT O.A.No.9339/2013, dt: 02/01/2014 filed by Sri G.Chidambaraiah, Senior Inspector/Accountant.
7. Judgment in O.A.No.9339/2013, Dated: 12.11.2014.
8. C.A.No.88/2015 in O.A.No.9339/2013, dt: 12.11.2014.

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ORDER:-

The Director General, Anti-corruption Bureau, A.P., Hyderabad vide his letter 1st read above have reported that Sri B.Manikyam, Executive Engineer during the financial years 1995-96 to 1998-99 with the active connivance of Sri G. Chidambaraiah, former Accountant, Sri T.Naganna, former in-charge Accountant and Sri B.Chandramouli, former Accountant who worked one after other in the post of Senior Inspector/Accountant in the O/o Executive Engineer D.S.C.S.C.S. Ltd., Anantapur while making payments did not deduct the sales tax to be levied on various goods at source as per the provisions of the A.P. General Sales Tax Act, 1957 and allowed the unregistered firms to draw full payment without deduction of sales tax and thereby caused pecuniary advantage to the tune of Rs.4,51,586/- to others and corresponding wrongful loss to the Government.

2. Government have examined the recommendations of DG, ACB, in detail and vide reference 2nd read above, issued orders to prosecute the Accused Officer-2 Sri G. Chidambaraiah, former Accountant in a Court of Law for the offences punishable under Clause-B of Sub-section (1) of Sec. 19 of the Prevention of Corruption Act 1988 (Central Act 49 of 1988).

3. The Director General, Anti-Corruption Bureau, A.P., Hyderabad vide his letter in the reference 3rd read above have informed that the Additional Special Judge for SPE & ACB Cases, Hyderabad pronounced Judgment on 29.06.2010 in C.C.No.3/2004 acquitted Sri G. Chidambaraiah, Senior Inspector/Accountant and others and requested the Government to file an appeal in the A.P. High Court against the acquittal orders of the trial court.

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4. In the reference 5th read above, the Director General, Anti-Corruption Bureau, A.P., Hyderabad was permitted to file an appeal against the acquittal judgment of Addl. Special Judge for SPE & ACB Cases, Hyderabad against Sri G.Chidambaraiah, Senior Inspector and others in the Hon'ble High Court of Andhra Pradesh.

5. Aggrieved by the above, Sri G.Chidambaraiah, Senior Inspector filed O.A.No. 9339/2013, dt: 02/01/2014 filed in the A.P.A.T. to regularize the period of suspension from 04.02.2004 to 29.02.2004 and for payment of full pension and other terminal benefits.

6. In the reference 7th read above, the Hon'ble APAT in its Judgment in O.A.No.9339/2013 have directed the 1st respondent i.e. Government to regularize the period of suspension of the applicant from 04.02.2004 to 29.02.2004 as "ON DUTY" and to pay full pension and other pensionary benefits including arrears from 01.03.2004 within a period of eight weeks from the date of receipt of a copy of the order.

7. In the reference 8th read above, Sri G.Chidambaraiah, Senior Inspector filed C.A.No.88/2015 in O.A.No.9339/2013 and the Hon'ble Tribunal has issued notices to the Respondents and posted the case on 23.03.2015.

8. Government, after careful examination of the entire matter and in consultation with Finance & Law Departments have decided to regularize the suspension period of Sri G.Chidambaraiah, Senior Inspector as "ON DUTY" in terms of FR-54-B and to pay full pension and other pensionary benefits including arrears from 01.03.2004 duly implementing the orders of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.

9. Accordingly, Government hereby regularize the suspension period of Sri G.Chidambaraiah, Senior Inspector as "ON DUTY" in terms of FR-54-B and the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P.,Hyderabad is directed to pay full pension and other pensionary benefits including arrears from 01.03.2004 duly implementing the orders of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.

10. The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P.,Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT(Coop & Mktg)**

To

The individual concerned through the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P.,Hyderabad.

The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P.,Hyderabad.

The DG, ACB, A.P., Hyderabad.

The Pay and Accounts Officer, A.P.,Hyderabad.

The Accountant General, A.P.,Hyderabad.

Copy to:

The Government Pleader, A.P.Administrative Tribunal, Hyderabad (with a request to appraise the Hon'ble Tribunal and see that the C.A. is closed.)

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER